

CERTIFICATION OF ENROLLMENT

HOUSE JOINT MEMORIAL 4011

56th Legislature
1999 Regular Session

Passed by the House March 10, 1999
Yeas 94 Nays 0

Speaker of the House of Representatives

Speaker of the House of Representatives

Passed by the Senate April 6, 1999
Yeas 45 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE JOINT MEMORIAL 4011** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

Chief Clerk

FILED

Secretary of State
State of Washington

HOUSE JOINT MEMORIAL 4011

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By Representatives Bush, Poulsen, Radcliff, Thomas, Scott, Huff, D. Schmidt, Lantz, Benson, Kessler, Wolfe, Schoesler, Santos, Grant, Quall, Boldt, Pennington, Mastin, Koster, Hankins, Esser, Regala, Cox, Schindler, McDonald, Clements, Wood, Cooper, Kenney, Reardon, Hurst, Talcott, Hatfield, Tokuda, Conway, Sump, Lovick, D. Sommers, Schual-Berke, Carlson, H. Sommers, McMorris, Fortunato, Murray, O'Brien, Anderson, Voloria and Haigh

Read first time 02/15/1999. Referred to Committee on Technology, Telecommunications & Energy.

1 TO THE HONORABLE WILLIAM J. CLINTON, PRESIDENT OF THE UNITED
2 STATES, AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE
3 OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF
4 THE UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE MEMBERS OF THE
5 COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION OF THE UNITED STATES
6 SENATE, AND TO THE MEMBERS OF THE SUBCOMMITTEE ON TELECOMMUNICATIONS,
7 TRADE AND CONSUMER PROTECTION, COMMITTEE ON COMMERCE, OF THE UNITED
8 STATES HOUSE OF REPRESENTATIVES:

9 We, your Memorialists, the Senate and House of Representatives of
10 the State of Washington, in legislative session assembled, respectfully
11 represent and petition as follows:

12 WHEREAS, The Federal Communications Commission, pursuant to the
13 Telecommunications Act of 1996, has implemented a universal service
14 fund program to provide discounts on the cost of telecommunications
15 services to schools and libraries; and

16 WHEREAS, On May 8, 1997, the Commission determined that schools and
17 libraries that join consortia that include entities other than "public
18 sector (governmental) entities" may not take advantage of the universal
19 service fund program unless the services purchased by the consortia are
20 based on tariffed rates; and

1 WHEREAS, This requirement effectively prevents schools and
2 libraries from participating in consortia with nonprofit independent
3 baccalaureate institutions without losing the advantages of the
4 leveraged purchasing, economies of scale, and efficiencies that are the
5 very rationale for such consortia; and

6 WHEREAS, Washington state has sought to leverage the state's
7 purchasing power in its procurements of telecommunications and
8 information services, and obtain the lowest prices for
9 telecommunications services for universities, colleges, schools, and
10 libraries; and

11 WHEREAS, The Washington Legislature in 1996 authorized and funded
12 the development of the K-20 Educational Telecommunications Network, a
13 sixty-two million dollar state-wide backbone network intended to link
14 K-12 school districts, educational service districts, public and
15 private baccalaureate institutions, public libraries, and community and
16 technical colleges; and

17 WHEREAS, This network will provide the consortium of Washington
18 colleges, schools, and libraries with enhanced function and increased
19 efficiencies in their use of telecommunications services; and

20 WHEREAS, Washington state is home to several outstanding nonprofit
21 independent baccalaureate institutions, including Antioch University,
22 Cornish College of the Arts, Gonzaga University, Heritage College,
23 Northwest College, Pacific Lutheran University, St. Martin's College,
24 Seattle University, Seattle Pacific University, University of Puget
25 Sound, Walla Walla College, Whitman College, and Whitworth College,
26 that are not "public sector (governmental) entities"; and

27 WHEREAS, These institutions each year prepare thousands of students
28 for jobs in Washington state, and their graduates comprise more than
29 twenty-five percent of the state's school teachers; and

30 WHEREAS, The Washington Legislature has recognized the important
31 public service that these institutions perform; and

32 WHEREAS, The Washington Legislature has recognized that the public
33 interest would be served by their inclusion in the K-20 Educational
34 Telecommunications Network; and

35 WHEREAS, On July 16, 1997, the Washington Department of Information
36 Services petitioned the Federal Communications Commission to clarify
37 universal service program eligibility for schools and libraries that
38 participate in telecommunications consortia with nonprofit independent
39 colleges; and

1 WHEREAS, The Commission has not responded to that petition in more
2 than eighteen months; and

3 WHEREAS, The state continues to delay the inclusion of nonprofit
4 independent baccalaureate institutions in the K-20 Educational
5 Telecommunications Network out of concern that doing so may render the
6 network services provided to schools and libraries ineligible for
7 universal service discounts; and

8 WHEREAS, Such continued delay is detrimental to the interests of
9 the state;

10 NOW, THEREFORE, Your Memorialists respectfully pray that the
11 members of the Committee on Commerce, Science, and Transportation of
12 the United States Senate; and members of the Subcommittee on
13 Telecommunications, Trade and Consumer Protection, Committee on
14 Commerce, United States House of Representatives, urge the Federal
15 Communications Commission to address promptly the matters raised in the
16 Department of Information Service's Petition for Reconsideration, and
17 find that schools and libraries may participate with independent
18 colleges in consortia to procure telecommunications services at below-
19 tariffed rates without losing their eligibility for universal service
20 discounts.

21 BE IT RESOLVED, That copies of this Memorial be immediately
22 transmitted to the Honorable William J. Clinton, President of the
23 United States, the members of the Committee on Commerce, Science, and
24 Transportation of the United States Senate, and members of the
25 Subcommittee on Telecommunications, Trade and Consumer Protection,
26 Committee on Commerce, United States House of Representatives, the
27 President of the United States Senate, the Speaker of the House of
28 Representatives, each member of Congress from the State of Washington,
29 and the members of the Federal Communications Commission.

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